

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 PROTECTIVE LIFE INSURANCE
4 COMPANY and MONY LIFE INSURANCE
5 COMPANY,

6 Interpleader Plaintiffs,

7 v.

8 DAVID FLICEK and the ESTATE OF
9 ALTHAEA FLICEK, through its Personal
10 Representative Heather Funk,

11 Interpleader Defendants.

Case No.: 2:21-cv-00835-APG-VCF

**ORDER GRANTING MOTION FOR
DEFAULT JUDGMENT**

[ECF No. 27]

12 Interpleader Plaintiffs Protective Life Insurance Company and MONY Life Insurance
13 Company move for default judgment against Interpleader Defendant the Estate of Althaea
14 Flicek. ECF No. 27. Default has been entered against the estate. ECF No. 25. The motion
15 satisfies the factors set forth in *Eitel v. McCool*, 782 F.2d 1470, 1471-72 (9th Cir. 1986). I thus
16 find good cause to grant the motion.

17 I HEREBY ORDER that the motion for default judgment (**ECF No. 27**) is **granted**. The
18 clerk of the court is directed to enter judgment in favor of Protective Life Insurance Company
19 and MONY Life Insurance Company (collectively, the Interpleader Plaintiffs) and against the
20 Estate of Althaea Flicek as follows:

- 21 1. The Interpleader Plaintiffs are ordered to deposit into the court's Registry the subject
22 Policy proceeds and applicable interest by December 3, 2021.
- 23 2. Upon deposit of the Policy proceeds, the Interpleader Plaintiffs are discharged of all
liability with respect to the subject Policy.

1 3. The Interpleader Defendants in this case, and anyone acting directly or indirectly on
2 their behalf, are enjoined from instituting or maintaining any action against the
3 Interpleader Plaintiffs relative to the subject Policy proceeds.

4 4. The Interpleader Plaintiffs are dismissed from this action with prejudice.

5 I FURTHER ORDER the clerk of the court to enter judgment accordingly because there
6 is no just reason to delay entry of judgment in favor of the Interpleader Plaintiffs and against the
7 defendant estate. Fed. R. Civ. P. 54(b).

8 I FURTHER ORDER that, by December 17, 2021, defendant David Flicek will file an
9 appropriate motion to distribute the Policy proceeds and explain what, if anything else, needs to
10 be done to resolve this case. The failure to do so may result in dismissal of this case.

11 DATED this 19th day of November, 2021.

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14 ANDREW P. GORDON
15 UNITED STATES DISTRICT JUDGE
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